

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTONIO A. RANSOM : CIVIL ACTION  
v. :  
MICROSOFT, et al. : NO. 12-3575

MEMORANDUM

BAYLSON, J.

JUNE 27, 2012

Plaintiff Antonio A. Ransom brought this civil action against Microsoft (Bill Gates), William Clark, Diondre King, Beyock Williams, and Neicy Clerk. The complaint alleges that the defendants "can run electricity through [plaintiff's] heart to produce [a] heart attack." (Compl. ¶ III.C.) Plaintiff also alleges that the defendants "[p]ut [him] on the internet and [kept] track of [him]." (*Id.*) He asks to the court to "order [the defendants] to stand trial for cyber stalking (online tracking) electronic harassment body electronic surveillance and torture interference." (*Id.* ¶ V.)

Plaintiff's motion to proceed in forma pauperis is granted because he has satisfied the requirements set forth in 28 U.S.C. § 1915. Accordingly, 28 U.S.C. § 1915(e)(2)(B) applies. That provision requires the Court to dismiss the complaint if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from a defendant who is immune. A complaint is frivolous if it "lacks an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989). A complaint is legally baseless if it is "based on an indisputably meritless

legal theory," Deutsch v. United States, 67 F.3d 1080, 1085 (3d Cir. 1995), and factually baseless "when the facts alleged rise to the level of the irrational or the wholly incredible." Denton v. Hernandez, 504 U.S. 25, 33 (1992).

This Court will dismiss the complaint as factually and legally frivolous. Plaintiff's allegation that the defendants, including Bill Gates, are using the internet to run electricity through him to produce a heart attack lack a basis in reality. Furthermore, his complaint lacks a basis in law because he may not pursue criminal charges by filing a civil action. Plaintiff will not be given leave to amend because amendment would be futile. See Grayson v. Mayview State Hosp., 293 F.3d 103, 112-13 (3d Cir. 2002). An appropriate order follows.